

# Effluent Guidelines/Clean Water Act: U.S. Environmental Protection Agency Notices Availability/Program Plan 14



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The United States Environmental Protection Agency (“EPA”) published an October 24th Federal Register Notice referencing the availability of Preliminary Effluent Guidelines Program Plan 14 (“Plan 14”). See 84 Fed. Reg. 57019.

Section 304(m) of the Clean Water Act requires that EPA biennially publish a plan for new and revised effluent limitations guidelines, after public review and comment.

Plan 14 is described as identifying:

... any new or existing industrial categories selected for effluent guidelines or pretreatment standards and provides a schedule for their development.

By way of background, Section 301(b) of the Clean Water Act authorizes EPA to promulgate national categorical standards or limits to restrict discharges of specific pollutants on an industry-by-industry basis. These effluent limits are incorporated into a point source discharger’s National Pollution Discharge and Elimination System permit as a baseline minimum requirement.

Clean Water Act effluent limits are derived from research regarding pollution control technology used in the industry. The analysis will include the degree of reduction of the pollutant that can be achieved through the use of various levels of technology. The applicable standard is dictated by the kind of pollutant discharged (i.e., toxic, conventional, or non-conventional) and whether a new or existing point source is involved.

Industrial categories are often further divided into subcategories. The effluent limits/conditions for the subcategories will be tailored to the performance capabilities of the wastewater treatment or control technologies used by the subcategory.

EPA’s development of categorical effluent limits is an ongoing process. The agency continues to promulgate categorical standards for facilities that have not been addressed. Existing categorical standards are also assessed to determine if revisions are warranted. The motivation for a change to an existing standard will often be the need to incorporate evolving technological developments.

EPA states in its October 24th Federal Register Notice that Plan 14 discusses the “one ongoing rulemaking [and the associated schedule] for the Steam Electric Power Generating Point Source Category.”

The agency further states it has concluded that no additional categories warrant new or revised effluent guidelines at this time.

Updates are stated to be provided in Plan 14 on:

- Electrical and Electronic Components Category Detailed Study
- Oil and Gas Extraction Wastewater Management Study
- Petroleum Refining Point Source Category Detailed Study

Plan 14 is also stated to introduce analyses and tools that the EPA is developing to “improve its annual review and biennial planning process.”

Plan 14 can be found at <https://www.epa.gov/eg/effluent-guidelines-plan>.

A copy of the Federal Register Notice can be downloaded [here](#).